

18115. Duties of Filing Officers and Filing Officials - Statements of Economic Interests

The filing officer is the person or agency which receives and retains original statements of economic interests (Section 87500). The duties of filing officers are set forth in subsection (a) of this regulation. Subsection (b) of this regulation describes the duties of agency officials who receive original statements of economic interests and are required to make and retain a copy of such statements and forward the original to the filing officer.

An official who is both a filing officer and an official who receives statements and forwards the originals to the filing officer will have duties under subsections (a) and (b) of this regulation.

(a) Filing officers who are responsible for statements interests shall:

(1) Supply the necessary forms and manuals prescribed by the Fair Political Practices Commission;

(2) Determine whether the proper statements have been filed and whether:

(A) The cover sheet includes the name and address of the filer, the period covered and the type of statement;

(B) The summary page is completed, and the required schedules are attached as indicated;

(C) All information is legible, and readable reproductions of the statement can be made.

(3) Promptly notify the filer if a statement does not satisfy the requirements of subsection (a) (2).

(4) Review the information contained in at least 20 percent of the statements which are filed on time, at least half of which must be selected on a random basis, and the information contained in all statements which are filed late, to determine whether:

(A) The summary page is completed correctly, and all schedules applicable to the filer are either attached or checked "no reportable interests."

(B) The attached schedules include all required descriptive information for each financial interest.

(C) Information contained on one schedule suggests that required information is omitted on either that schedule or another schedule.

(5) Promptly notify the filer if the review of the schedules indicates that the filing is incomplete or incorrect in any material respect.

(6) Report apparent violations of the Political Reform Act to the appropriate agencies. An apparent violation exists when:

(A) The filing officer knows or has reason to believe that the statement contains material inaccuracies or omissions;

(B) A filer fails to file all or part of his statement or refuses to file all or part of his statement after reasonable notice has been provided by the filing officer.

(7) Compile and maintain a current list of all statements filed with the office.

(b) Agency officials who receive statements of interests and forward those statements, as required by Government Code Section 87500, to the filing officer shall:

(1) Forward the statements to the filing officer no later than five days after the filing deadline or

five days after receipt in the case of a statement filed late. The official shall indicate the date of the agency's receipt on the face of the statement and shall also make and retain a copy of each statement forwarded to the filing officer;

(2) Supply the necessary forms and manuals prescribed by the Fair Political Practices Commission;

(3) Notify the filing officer of the following events within ten days of their occurrence:

(A) An election held in the jurisdiction, names of the candidates, the persons elected, the office to which each person was elected;

(B) A vacancy in an office;

(C) Any other event affecting filing obligations.

(4) Notify the filing officer no later than February 1 of each year of the names and positions of every person whose statements must be forwarded to the filing officer;

(5) Compile and maintain a current list of all statements forwarded to the filing officer.

Note: Authority: Section 83112, Gov. Code

Reference: Sections 81010, 87500, Gov. Code

History:

(1) New section filed 11/4/75; effective 12/4/75.

(2) Amendment of section title filed 5/22/78; effective 6/21/78.

(3) Amendment filed 10/2/78; effective 11/1/78.

(4) Amendment filed 1/25/80; effective 2/24/80.

(5) Editorial correction to title; effective 10/29/82.

(6) Amendment filed 7/16/85; effective 8/15/85.